

MINUTES
BOARD OF ENVIRONMENTAL REVIEW
FRIDAY OCTOBER 12, 2001

Call to Order: The Board of Environmental Review teleconference meeting was called to order by Chairman Russell at 10:00 a.m. on Friday October 12, 2001, in the Director's Conference Room, Metcalf Building, Room 111, 1520 East Sixth Avenue, Helena, Montana.

Attendance: Board members in attendance at the teleconference meeting were: Joe Russell, Chairman, Kalispell; Susan Brooke, Bozeman; David Fishbaugh, Billings; Kim Lacey, Glasgow; Garon Smith, Missoula (all by telephone).

Katherine Orr, Attorney for the Board, was present in the Director's Conference room.

Court Reporter, Helena, recorded the meeting and a transcript is available for the Board and interested parties on request to the Department.

DEQ Staff Personnel: Curt Chisholm, Deputy Director; John North, Chief Legal Counsel; Don Vidrine, Air and Waste Management Bureau, (P&CD); Leona Holm, Board Secretary

Interested Persons: Leo Berry, Steve Wade, counsel for Northwestern Montana First Megawatts, LLC (in person); Kim Wilson representing MEIC (in person); Chuck Johnson from Lee Newspapers (in person).

I. EXECUTIVE SESSION

(The Board met in extraordinary special session and conducted a meeting of the Board through teleconference capability in order to consider a request by the parties to the contested case appeal by various parties of the Air Quality Permit issued by DEQ to Northwestern Montana First Megawatts, LLC.)

In the matter of the Appeal of Northwestern Montana First Megawatts, LLC, Air Quality Permit No. 3154-00 Action Item:

Chairman Russell called for motion to dismiss the appeal and as part of the motion to authorize the chair to sign the order of dismissal.

Garon Smith MOVED to dismiss the appeal and to authorize the chair to sign the order of dismissal.

Kim Lacey SECONDED it, the motion CARRIED unanimously

II. OTHER ITEMS DISCUSSED

Mr. Chisholm informed the Board that future rule notices will indicate that public comments should be sent to ber@state.mt.us.

II. ADJOURNMENT

Ms. Brooke MOTIONED to adjourn the meeting. Ms. Lacy seconded the MOTION; motion unanimously CARRIED.

Board of Environmental Review Meeting Minutes Approved:

JAN P. SENSIBAUGH, DIRECTOR
DEPARTMENT OF ENVIRONMENTAL
QUALITY

JOSEPH W. RUSSELL, CHAIRMAN
BOARD OF ENVIRONMENTAL
REVIEW

DATE _____